

Carnegie Corporation of New York

437 Madison Avenue, New York, N.Y. 10022 • (212) 753-3100

Florence Anderson, Secretary

January 16, 1975

Mr. Julius Hobson
901 6th Street, S.W.
Apt. 214A
Washington, D.C. 20024

Dear Mr. Hobson:

We were greatly disappointed that you had no records to show to our assistant treasurer when he visited you at home on December 30 after you had assured us you did have some records which he could assist you to compile into a report. I enclose another copy of the agreement you signed before the grant was paid in which it was stated that you would maintain records of receipts and expenditures, make the WIQE books available to us on request, and return any portion of the grant not used for the purpose specified.

The WIQE was required to file an information return (Form 990) with the IRS for the year ending in February 1973. When Mr. Bergin visited you, you told him that such a return had been filed and that you would send him a copy immediately. This has not been received and your accountant, Mr. Needleman, tells us that he was unable to file one because the records available to him were totally inadequate. If you had a different accountant prepare this return and one for the following year, please send us his name and address.

We sympathize with your health problem but, as you know, we are required to file reports on this grant with the IRS and to take steps to secure the return of any funds which cannot be accounted for as having been used for the purpose of the grant. Even if that were not the case, we have a responsibility to know how our grants are used. We must, therefore, demand a satisfactory report within ten

Mr. Julius Hobson

-2-

January 16, 1975

days or the return of the \$15,000. We have been extremely patient in trying to secure this information which was due in August 1973. If it, or a refund, is not forthcoming promptly, we shall be forced to take whatever legal action our counsel advises.

Sincerely yours,

Malcolm Anderson

FA:bjm

Clear draft

COUNCIL OF THE DISTRICT OF COLUMBIA
WASHINGTON, D.C. 20004

June 20th

Mr. Hobson:

Attached is a copy of the memorandum of report for the Carnegie Corporation of New York as you submitted to Ms. Anderson as a sworn statement. I made corrections on this report according to my notes and understanding of Ms. Chiechi's remarks to you in the office. I then retyped the report with those corrections and sent it to Ms. Chiechi for review as she had required.

Ms. Chiechi called after receiving the corrected report, to say, that since the report had been a "sworn statement", it could not be redone. I stated that I accept responsibility for that error.

She then, said that she would send her comments to me in a DRAFTED STATEMENT and that you could review it, make whatever changes necessary for it to reflect your comments as a CLARIFYING STATEMENT to your sworn report, responding to the questions she had raised regarding the report -- her letter repeats her comments.

If her draft statement is as you wish, I am to type it from you and send it back to her BEFORE you have it sworn to, and then it can be sent back to the Carnegie Institute.

Lorraine

Attachments:

Lorraine's draft

Ms. Chiechi's letter and draft statement



COUNCIL OF THE DISTRICT OF COLUMBIA

WASHINGTON, D. C. 20004

June 20th

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Lorraine

Attachments:

Lorraine's draft

Ms. Chiechi's letter and draft statement

MEMORANDUM

TO: Ms. Florence Anderson, Secretary
Carnegie Corporation of New York
437 Madison Avenue
New York, New York 10022

FROM: Julius W. Hobson, Director
Washington Institute for Quality Education

SUBJECT: \$15,000.00 Grant given to the Washington Institute for
Quality Education by the Carnegie Corporation of
New York

The Board of Trustees of the Washington Institute for Quality Education are as follows:

Reverend William A. Wendt, Chairman
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Civil Service Commission
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Board of Trustees continued:

Reverend Channing Phillips
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Dr. Harland Randolph
President
Federal City College
Washington, D.C.

James A. Washington, Jr.
Judge
Superior Court for the District of Columbia
Washington, D.C.

The objective of the Washington Institute for Quality Education was to cover efforts of the District of Columbia Public Schools to comply with the Court order to equalize expenditures for pupils and for teachers salaries in the Elementary Schools of the District of Columbia. In order to acquire this information it was necessary for the Washington Institute for Quality Education to develop the following statistical charts:*

- | | |
|----------|---|
| CHART A: | D.C. School Experiments and Special Projects |
| CHART B: | D.C. Public Schools, Average Expenditure per Pupil |
| CHART C: | D.C. Public Schools, Essential Equipment Inventory |
| CHART D: | D.C. Public Schools -- Curriculum Progress (1) English, (2) History and (3) Mathematics |
| CHART E: | D.C. Public Schools - Curriculum Progress by Subject Areas |
| CHART F: | D.C. Public Schools - Books per Pupil, by School and Date of Publication |

*Statistics were updated from 1963 to 1972.

The \$15,000.00 grant was expended approximately as follows:

APPROXIMATED EXPENDITURES FOR CONTINUANCE
ACTION OF FACTUAL SURVEY OF PUBLIC EDUCATION
IN THE DISTRICT OF COLUMBIA AND OTHER CITIES

I.	Statistical Analysis (Including copy- ing and printing for presentation purposes)	\$ 6,100.00
II.	Secretary & Administrative Assistant and Typist	3,300.00
III.	Legal Consultants	2,800.00
IV.	Rent, Telephone, Office Supplies	1,800.00
V.	Research materials, travel and other miscellaneous	1,000.00
Total		<hr/> \$ 15,000.00

The Washington Institute for Quality Education is a non-profit institute designed to deal with the question of teaching "Johnny" to read, write, spell and communicate in the District of Columbia Public School System. In corporation with the Public School System the Washington Institute for Quality Education is seeking to help to bring the schools into compliance with Court Decrees and U.S. Office of Education directives regarding equalization and accountability on the part of the D.C. Public Schools.

The Carnegie Corporation grant was expended to support the legal statistical work developed in the tables above and was helpful to the Public School System in its compliance orders.

Progress reports indicating the accomplishments of the grant's purpose and the final report on all expenditures made from the grant's funding, as required by the grant agreement and due on specific dates, were not made by the grantee because he became ill with cancer and was hospitalized for a period of three years. During this period records were lost because he was unable to attend to his business affairs.

Sincerely,

Julius W. Hobson
Director

Carnegie Corporation of New York

437 Madison Avenue, New York, N.Y. 10022 • (212) 753-3100

Florence Anderson, Secretary

April 16, 1975

Mr. Julius Hobson
901 Sixth Street, S.W.
Apartment 214 A
Washington, D. C. 20024

Re: Grant to Washington Institute
For Quality Education

Dear Mr. Hobson:

This letter supplements our previous demand made by registered letter dated January 16, 1975, and received by you on January 18, 1975, as reflected by the return receipt signed by you.

As you already know, we are required to file reports on the grant made to the Washington Institute for Quality Education (WIQE) with the Internal Revenue Service and to take steps to secure the return of any funds which cannot be accounted for as having been used for the purpose of the grant. Moreover, we have a responsibility to know how our grants are used, regardless of the requirements imposed by the internal revenue laws. Therefore, pursuant to the advice of legal counsel, we are hereby demanding that you submit to us within 10 days a statement made by you under oath in the presence of a notary public in which you set forth the manner in which the \$15,000 in grant funds were expended. This sworn statement should specifically indicate not only the general purpose for which the grant funds were spent but should also indicate as close an approximation as you can make of the amount of such funds which were allocated to statistical analysis, secretarial and administrative assistants, legal consultants' fees, rent, telephone, office supplies, research materials, travel, typing assistance, and any miscellaneous expense, all of which were items contained in the budget approved by Carnegie Corporation and contained in the terms of grant agreement with WIQE.

In addition to the foregoing information, we hereby also demand that you explain in this sworn same statement the reasons for the failure of WIQE to make the required report

Mr. Julius Hobson

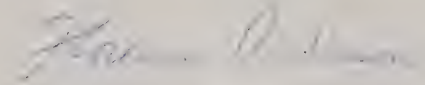
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April 16, 1975

to Carnegie Corporation. Finally, we demand that you provide us in this same statement with a list of the names and current addresses of all WIQE directors, trustees, officers, or other foundation managers, its legal consultants, and the staff or consultants who worked on the project for which the grant in question was made.

We reiterate that we have been extremely patient in trying to secure the information which was due in August 1973 which you agreed to supply in the terms of grant agreement. If you do not comply with the demands made herein, we will consult further with legal counsel and take whatever action our counsel advises.

Sincerely yours,



FA:tz

THE STATE HISTORICAL SOCIETY OF WISCONSIN

816 STATE STREET / MADISON, WISCONSIN 53706 / JAMES MORTON SMITH, DIRECTOR

Office of Field Services

January 19, 1973

Julius Hobson
Washington Institute for Quality Education
1319 4th S. W.
Washington, D. C. 20024

Dear Mr. Hobson:

In 1964 student activists prompted the State Historical Society of Wisconsin to initiate a Contemporary Social Action Collection. The students believed that American radicals suffered from an inadequate documentation of past actions; they sought an historical basis on which to judge tactics, past, present and future. The Collection was designed to place theory on a solid floor of experience. Former Civil Rights workers returned to the South to gather records, tapes, correspondence and publications before such evidence was lost or destroyed. Large holdings of the Congress of Racial Equality, the Daisy Bates papers, and the Anne and Carl Braden papers resulted from this search. Numerous files of individual Civil Rights organizers were also acquired.

The Collection has grown to include national dissent from the present political system, particularly over the Vietnam War. The National Mobilization Committee to End the War in Vietnam, the National Co-ordinating Committee to End the War in Vietnam, Students for a Democratic Society, and the Vietnam Veterans Against the War, to name but a few, have placed sizeable holdings with the Society.

The Society pays for the transportation of any papers donated to it. If there are portions of the records which the donor feels should not be made available immediately to researchers, we can keep them completely closed for any reasonable number of years specified. Or, if preferred, we can require that written permission of the donor be secured before researchers are allowed to use the records. Because our primary interest is in making valuable source materials available to researchers, we like to have the least possible restriction on the use of the collection. However, any restrictions we agree upon will be faithfully enforced.

BOARD OF EDUCATION OF THE DISTRICT OF COLUMBIA

PRESIDENTIAL BUILDING
415 TWELFTH STREET, N. W.
WASHINGTON, D. C. 20004

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EVIE M. WASHINGTON
GERTRUDE L. WILLIAMSON
EXECUTIVE SECRETARY

February 21, 1973

BOARD OF EDUCATION SUPERINTENDENT SELECTION PROCESS

Since Dr. Scott has withdrawn his request for a one year extension of his present contract which ends September 30, 1973, the Board of Education is desirous of selecting a Superintendent before he departs. In addition, Dr. Scott has indicated that he would like to be relieved of administrative responsibility on or before June 30, 1973. Moreover, the Board of Education is desirous of involving citizens in the selection process. Finally, the Board of Education is desirous of having located a new Superintendent and have him or her spend at least a month in the school system without having the day-to-day administrative responsibility. Therefore, the Board of Education adopts the following procedure for the selection of a new Superintendent.

The Board of Education hereby establishes a five member Board Selection Committee. The members are to be appointed by the President of the Board of Education. The Chairman of the Board Selection Committee will be selected by its members.

The Selection Committee will have primary responsibility for:

- Essay*
Examination
Interview
Inspection
Selection
1. Developing for Board approval the Superintendent's profile (what we want in a Superintendent);
 2. Preparation of announcement brochure;
 3. Seeking out possible candidates;
 4. Narrowing the field down to five persons for interview with full Board (no decision will be made during these interviews);
 5. Make a final recommendation to the Board;
 6. Any and all other duties that the Committee feels is necessary to bring a recommendation to the full Board.

As part of the selection process the Board is desirous of having strong citizen input. Therefore the Board hereby establishes a Citizens' Superintendent Selection Resource Commission. The Commission would assist the Board Selection Committee in:

1. Identifying potential cardidates;
2. Based on applications received would narrow the field down to the top 15 applicants;
3. Would consult with the Board's Committee as to their rationale for their fifteen choices.

All of the seven citizens would be required to be residents of the District of Columbia. The Chairman and Vice Chairman of the Citizens' Superintendent Selection Resource Commission would be elected by its members. It would meet separately on matters under its charge; would report directly to the Board's Committee; and may sit in ex officio fashion (could speak but not vote) in all meetings of the Board Committee. The Resource Commission would share the staff provided for the Board Committee.

The composition of the Citizens' Superintendent Selection Resource Commission is as follows:

1. The Board of Education would name directly three persons at large for the Citizens' Superintendent Resource Commission.
2. The Student Advisory Council to the Board of Education would develop a process for the nomination of three students, one of whom would be selected in a drawing. In addition a second drawing would select an alternate.
3. The Congress of PTA's would nominate three persons, one of whom would be selected in a drawing. A second drawing would select an alternate.
4. The Washington Teachers' Union would develop a process whereby they would recommend three school based teachers (2 years minimum teaching experience in the D. C. schools). One would be selected by drawing.
5. The Council of School Officers will recommend three persons. (A principal or an assistant principal, all of whom must be permanent in the School System). Again, one would be drawn.

The Board Committee would be assigned one high level staff person as well as a secretary to assist in the development of Superintendent's profile, the job announcement, and goals for the job. Funds will also be allocated to the Board Committee for travel and consultant fees. (Consultants would be hired to assist the Board Selection Committee in writing and drafting recommendations to the Board.

The Board hereby adopts the following timetable:

1. The selection process adopted at the February 21, 1973 Board meeting.
2. The Board of Education at its February 21 meeting would name the three at large members.
3. The President of the Board of Education at the February 21 meeting would name the five Board members.
4. After the February 21 meeting the Board Selection Committee would be charged with the responsibility of informing the four constituent groups that they can have members from the Board's Citizens' Superintendent Selection Resource Commission. In addition the Board Committee would certify that each group follow a democratic procedure.
5. The Board Selection Committee would immediately go to work on developing what the Board wants in a Superintendent, and job announcement which will be presented at the March 7 Board meeting.
6. The remaining four members of the Citizens' Superintendent Selection Resource Commission would be named at the March 7 meeting.
7. The Board of Education will attempt to locate and have on board a new Superintendent by the first week in June.

would fall to the secretary.

Next on the agenda was the question of distribution of WIQE's first publication, The Damned Children . All members agreed that the booklet be distributed nationally. Mar. Hobson read a letter he had written to Mr. Peter Matson, President of a distributing firm in New York City asking for his advice and help in maximizing the brochures distribution. Mr. Hobson noted that approximately 15 bookstores in the Washington area had already accepted the booklet and there seemed to be no problem dispensing it in D.C. He felt that great concentration be put on circulating it throughout the U.s. The board members decided to give Mr. Hobson a free hand in all methods needed in distributing the booklet.

The question of a credit card for Mr. Hobson was brought up. Mr. Tirana suggested that the Director be authorized to have the corporation open an American Express credit card. This was discussed and agreed upon by the members with the stipulation of a monthly issuance of credit expenses.

The next item of business was that of board member meetings. Mr. Morse proposed that the board meet monthly for three months beginning in Sept. and then on a quarterly basis. The purpose for many meetings being to discuss the future of WIQE and its potential for D.C. Mr. Morse felt that the members should meet more regularly and more formally. Mrs. Hobson agreed that the members of the board should communicate frequently and ought to be informed once a month on what WIQE is doing,

but three monthly meetings would be impossible since most of the board members are extremely busy individuals. She preferred quarterly meetings for the Board of Directors, and when desired, Executive meetings. Mr. Tirana upheld Mrs. Hobsons idea and suggested that the first one be held the second week in October to make clear WIQE's future and discuss how to raise money to keep it functioning. Mrs. Hobson moved for acceptance of Mr. Tirana's proposal, seconded, carried.

The last item on the agenda was that concerning WIQE's bank account. Mr. Hobson preferred having the account transferred to the American security and Trust Bank which is located across the street from the WIQE office. This would make it much more convenient when dealing with the finances. Motion was made to accept Mr. Hobson idea, seconded, carried.

Meeting was adjourned.



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
PUBLIC HEALTH SERVICE
HEALTH SERVICES AND MENTAL HEALTH ADMINISTRATION
NATIONAL INSTITUTE OF MENTAL HEALTH
WASHINGTON, D.C. 20032

April 27, 1973

SAINT ELIZABETHS HOSPITAL

Mr. Julius Wilson Hobson, Sr.
Washington Institute of
Quality Education
1319 - 4th Street, SW.
Washington, D. C. 20024

Dear Mr. Hobson:

This letter is a follow-up to our telephone conversation on Friday, April 20, 1973, confirming your speaking date for our Community Mental Health Conference, Friday, May 18, 1973, at 9:00 a.m.

Once a month, Saint Elizabeths Hospital's Area D Community Mental Health Center staff sponsors a Community Conference which serves as a medium for hearing community residents and/or other invited speakers to share their thinking on varying mental health issues that relate to community needs and problems. Ms. Georgia Carter, who represents me in this program and serves as co-chairman of the Community Conference, has told me that she has talked with you briefly regarding our wanting to invite you as a conference speaker.

It is because of your commitment to community interests that the Area D CMHC staff would like to invite you to share some of your thinking on The Mental Health Professional in the Public School.

Ms. Georgia Carter will be available for more specific information if it is necessary. She can be reached by telephone at 574-7673.

The Conference is scheduled for one hour; about one-half hour for the speaker's presentation, and the remaining time for questions and answers. The Conference attendance is sometimes 50 or more persons.

This Conference will be held at the Area D Community Mental Health Center (Dix Building, Room 352) 2700 Martin Luther King, Jr. Avenue, SE. (Enter Gate #3).

The Hospital is authorized to pay a \$75.00 fee to visiting and/or invited speakers.

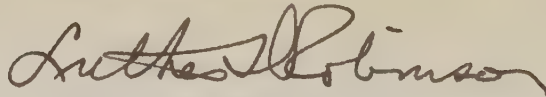
I am enclosing materials that will give you a general overview of our programs.

May I please have your biographical data by May 11, 1973 to be used

Page 2 - Mr. Julius Wilson Hobson, Sr.

in connection with your Conference presentation on Friday, May 18, 1973,
at 9:00 a.m.

Sincerely yours,

A handwritten signature in dark ink, reading "Luther D. Robinson". The signature is written in a cursive style with a large, prominent "L" and "R".

Luther D. Robinson, M.D.
Superintendent

Enclosures

MARINE RESOURCES PROGRAM
UNIVERSITY SYSTEM OF GEORGIA
203 FORESTRY BUILDING
ATHENS, GEORGIA 30601
(404) 542-1555

January 23, 1973

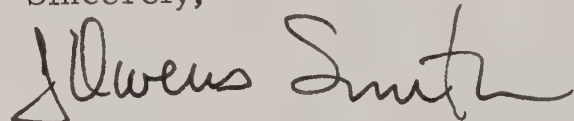
The Washington Institute for Quality Education
300 M Street S.W.
Washington, D.C. 20024

Dear Sir:

We are currently working on the problem of citizens' access to information and would find it very helpful if you would be able to send us a complementary copy of the guide to the Freedom of Information Act which was mentioned in the November, 1972 issue of the EPA booklet.

Thank you for your help in this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "J Owens Smith". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

J. Owens Smith
Marine Resources Law Associate

JOS:jw

CENTER FOR STUDY OF RESPONSIVE LAW

P. O. BOX 19367

WASHINGTON, D. C. 20036

August 10, 1973

Mr. Julius Hobson
1319 - 4th Street, S.W.
Washington, DC 20024

Dear Mr. Hobson:

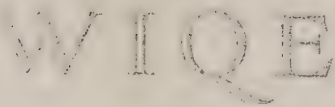
Enclosed please find a working draft of the manuscript portion which describes your activities. Please check it for accuracy and currency, and return it to us within the week. Our publisher's deadlines require our prompt submission of a completed manuscript.

Sincerely,

Kenneth Lasson

Kenneth Lasson
Project Director

Note: For telephone inquiries contact: Ellen Miller 202/833-3400
or Kenneth Lasson 301/653-1186



WASHINGTON INSTITUTE FOR QUALITY EDUCATION

350 M STREET, S. W. • WASHINGTON, D. C. 20024

TELEPHONE (202) ~~XXXXXXX~~ 488-8290

The Black Caucus of Members
of U.S. House of Representatives
U.S. Capitol
Washington, D.C.

Honorable Members:

The attached description of a planning proposal is submitted for consideration by the Black Caucus of the U.S. Congress.

The subject matter -- statistical analysis of equity in public education today -- is of crucial importance to the American community, and of emergency significance to our Black population.

With the philosophy of Professor Christopher Jencks (Inequality: A Reassessment...) closing in on one side and the recent Rodriguez decision of the U.S. Supreme Court pressing from another, with the Nixon Administration on its course of benign dismantlement, minorities and poor people have but little hopeful prospect of improved conditions in public education.

The clear need is to counter the negative influences at work, to meet them with hard data and analysis sufficient to force our national leadership back into rational paths.

We respectfully, albeit urgently, request an opportunity for discussion of this proposal with all Members of the Black Caucus. Hopefully, such a meeting can be arranged on a weekday morning in a room at the U.S. Capitol.

Sincerely,

Julius W. Hobson
Director



WIQE

WASHINGTON INSTITUTE FOR QUALITY EDUCATION

300 M STREET, S. W. • WASHINGTON, D. C. 20024

TELEPHONE (202) ~~XXXXXXX~~ 488-8290

Proposal

PLANNING FOR EQUITABLE DISTRIBUTION

OF SUPPORT TO PUBLIC EDUCATION

April 20, 1973



WASHINGTON INSTITUTE FOR QUALITY EDUCATION

300 M STREET, S. W. • WASHINGTON, D. C. 20024

TELEPHONE (202) ~~XXXXXX~~ 488-8290

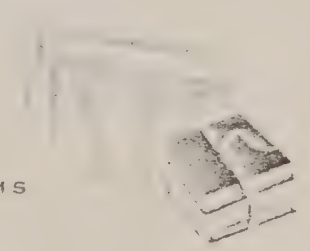
PLANNING FOR EQUITABLE DISTRIBUTION OF SUPPORT TO PUBLIC EDUCATION

Purpose

Two most dispiriting influences are now at play on the scene of American public education. The first is Christopher Jencks' enunciation-from-on-high that one's life's die is cast in the socio-economic environment of one's birth, that the process of public education can have no significant improving effect on career development thereafter. The second is the recent Rodriguez decision of the United States Supreme Court, wherein we are informed that equal access to educational opportunity is not necessarily a fundamental right of the American citizen, past decisions of the Warren Court notwithstanding.

The Nixon Administration moves ahead to weaken Federal support programs in the field of education, encouraged by Jencks, empowered by a Supreme Court now dominated by a bloc of Justices kindred to its purpose. Local jurisdictions continue with impunity, even an officially clear conscience, inequitable allocation and support practices born in earlier times of sanctioned bias against the disadvantaged. Poor people -- of all races, creeds, colors, sexes -- are the inevitable victims of this deterioration in American leadership.

The Washington Institute for Quality Education (WIQE) -- Julius W. Hobson, Director -- therefore submits this request for a planning grant. Our purpose is to set out a research approach that can be expected to develop a body of statistical analysis to counter the negative and discouraged trend of current





WASHINGTON INSTITUTE FOR QUALITY EDUCATION

300 M STREET, S. W. • WASHINGTON, D. C. 20024

TELEPHONE (202) ~~XXXXXXX~~ 488-8290

PLANNING FOR EQUITABLE DISTRIBUTION OF SUPPORT TO PUBLIC EDUCATION

action on public support for education. With ~~recorded~~ experience since 1966 issuance of the U.S. Office of Education's Coleman Report and demographic and economic analysis based on the 1970 Census now fully available, it is felt that more realistic evaluation of educational progress and potential can be derived than has heretofore been available. Essentially, the need is to demonstrate that legally and humanly unacceptable inequity exists in the allocation of tax-derived resources to public schooling, and that such inequity contributes to unfair situations conducive to development of the Jencks doctrine.

The Constitution of the United States, being the socialistic document that it is, allows as how all public resources, including educational resources, shall be distributed equally and that all citizens of the United States have equal access and equal protection. Jencks pays lip service to this principle, but negates its impact in education. Jencks essentially urges us to throw away efforts to attain educational equality and instead to focus on a goal of equalizing incomes that he knows and admits is "decades" away. His conclusion that school quality has little effect on achievement or on economic success provides a logical basis for the abandonment of all reforms in education -- particularly those related to school financing. But Jencks' statistics are so old that they pre-date women's lib and hence, in many cases, use data based upon samples of men only. Results must immediately become questionable when data is omitted that would reflect substantially the factor of overt and covert discrimination -- both by sex and race -- against half the student population.



WASHINGTON INSTITUTE FOR QUALITY EDUCATION

300 M STREET, S. W. • WASHINGTON, D. C. 20024

TELEPHONE (202) ~~XXXXXXX~~ 488-8290

PLANNING FOR EQUITABLE DISTRIBUTION OF SUPPORT TO PUBLIC EDUCATION

Finally, it can be hoped that a sufficiently strong and persuasive research effort will provide substantial grounds to overturn, or skirt, the Rodriguez decision, and allow satisfying reform in allocation of resources as between rich and poor public school jurisdictions.

Approach

A planning grant of approximately \$25,000 is estimated as necessary to:

- (1) Develop a study structure;
- (2) Obtain commitment of unquestionably reputable professional talent and leadership; and
- (3) Prepare documentation necessary to obtain sizeable public and/or private resources to mount the study proper.

The approach of WIQE would be to apply the virtually full-time services of its core associates to set forth a grant proposal structure and meet its schedule of preparation; to rely for knowledgeable guidance upon consultative cooperation from leading, committed figures in statistical analysis, sociology, and education.

In all probability, the final package would call for two phases of undertaking. The first would emphasize statistical analysis of the equity of current allocation practices, derivable from the bank of education funding data and information from the U.S. Census Bureau. The second would be the more concerned with allocation practices as they bear on, positively and negatively, the effectiveness and accountability of educational performance in our community.





WASHINGTON INSTITUTE FOR QUALITY EDUCATION

300 M STREET, S. W. • WASHINGTON, D. C. 20024

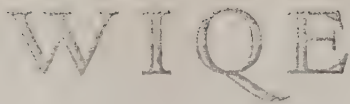
TELEPHONE (202) ~~XXXXXXX~~ 488-8290

PLANNING FOR EQUITABLE DISTRIBUTION OF SUPPORT TO PUBLIC EDUCATION

A time period of about three months would be necessary to create a creditable research proposal. In addition to professional services, expense allowance would be required for administrative costs, and a minimum of travel away from Washington DC. (An estimated budget breakdown is attached.)

As perspective on the eventual need, it should be borne in mind that the Coleman Report involved a total cost of upwards of \$2 million, the Jencks study represents at least \$500,000 of private support, and the second Hobson v Hansen decision of Judge Skelly Wright (ordering equitable distribution of resources in elementary schools of the District of Columbia) resulted from a research investment of over \$80,000.





WASHINGTON INSTITUTE FOR QUALITY EDUCATION

300 M STREET, S. W. • WASHINGTON, D. C. 20024

TELEPHONE (202) ~~XXXXXX~~ 488-8290PLANNING FOR EQUITABLE DISTRIBUTION OF SUPPORT TO PUBLIC EDUCATIONBudget

May 1, 1973 - July 31, 1973

I. Professional ServicesA. WIQE

\$ 14,665

J. W. Hobson	6 wks @ \$150/day	\$4,500
W. E. Mylecraine	6 wks @ \$125/day	3,750
William Higgs	3 wks @ \$125/day	1,875
Statistician	3 wks @ \$100/day	1,500
Educator	3 wks @ \$100/day	1,500
Clerical (2)	6 wks @ \$ 25/day	1,500

B. Consultants

2,100

Statistics	3 days @ \$150	450
Sociology	3 days @ \$150	450
Education	3 days @ \$150	450
Mngmnt Organization	5 days @ \$150	750

II. Administrative Costs

3,700

A. Office rent	3 mos @ \$250	750
B. Equipment rental (2 typewriters, 2 calculators, furniture)		1,000
C. Office supplies		400
D. Telephone		750
E. Postage and printing		800

III. Travel (primarily for consultants)

5,000

25 travel days (transportation, per diem)	@ \$200/day	5,000
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TOTAL \$25,665

The Forum

LOCK BAG 'R' • RAHWAY, NEW JERSEY 07065 • (201) 574-0940

April 14, 1978

Washington Institute for Quality Education
300 M. Street, N.W.
Washington, D.C. 20024

Dear Sirs:

The Rahway Forum is in the process of developing a fund raising committee. At this time, being confronted with this mandatory requirement, its solution undoubtedly lies within your publication of, ("The) Damned Information: Acquiring and Using Public Information to Force Social Change, Julius, 1971.

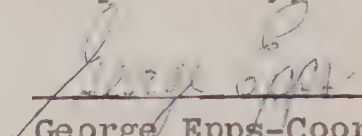
As the Fund Raising Committee Coordinator, it is my intentions to do my utmost to accomplish the objectives of this committee, therefore, I find that my request for this publication carries the cry of urgency, please.

Having not anticipated the necessity of this book, finds us financially unprepared to meet the cost of your publication, however, arrangements will be made as soon as possible, this I personally acclaim.

Thanking you in advance for your assistance.

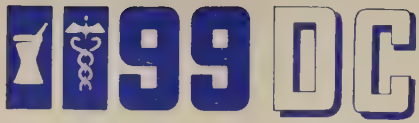
"In the Spirit of the Opportunities in the Challenges of our Times"

Respectfully,


George Epps - Coordinator

GE/rs

cc:file



National Union of Hospital and Nursing Home Employees

• a Division of RWDSU/AFL-CIO

1308 Eye St., N.W.
Washington, D.C. 20005
202-737-1366

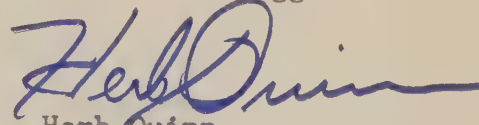
April 16, 1973

Mr. Julius Hobson:
1319 4th St., S.W.
Washington, D.C. 20024

Brother Hobson:

This is to confirm our conversation of thursday April 12, 1973, and your acceptance of my invitation to be a guest speaker at a rally for Georgetown University Hospital workers, Wednesday, April 25th, at the Sheraton-Park Hotel, in The Maryland Suite, Per our conversation, we will expect you at about 8:30 pm.

Yours In struggle


Herb Quinn

PUBLIC SCHOOLS OF THE DISTRICT OF COLUMBIA
SUPERINTENDENT OF SCHOOLS
PRESIDENTIAL BUILDING
415 - 12TH STREET, N. W.
WASHINGTON, D. C. 20004

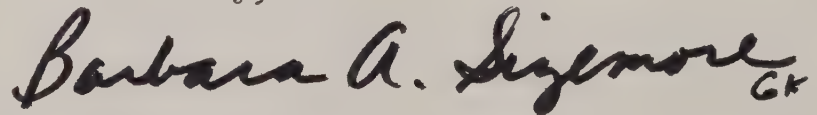
October 1, 1974

Mr. Julius W. Hobson, Sr.
901 6th Street, S. W. #214A
Washington, D. C. 20024

Dear Mr. Hobson:

As per our earlier discussion, September 5, 1974, enclosed is the first draft of the system's position on incommensurability. It was submitted to Members of the Board of Education on September 30, 1974. We would appreciate any comments or recommendations that you may have as a result of your review.

Sincerely,

A handwritten signature in black ink that reads "Barbara A. Sizemore" with a small "GK" monogram at the end.

Barbara A. Sizemore
Superintendent of Schools

Attachment

BAS:GLK:dcg

PUBLIC SCHOOLS OF THE DISTRICT OF COLUMBIA
SUPERINTENDENT OF SCHOOLS
PRESIDENTIAL BUILDING
415 - 12TH STREET, N. W.
WASHINGTON, D. C. 20004

September 30, 1974

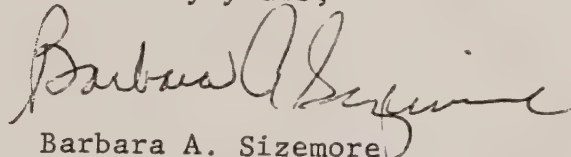
Mrs. Virginia Morris
President, Board of Education
Presidential Building
415 - 12th Street, N. W.
Washington, D. C. 20004

Dear Mrs. Morris:

The Superintendent is pleased to provide the Board with a First Draft of a paper entitled: "SUPPORTING ARGUMENT FOR PETITIONING THE COURT TO GRANT RELIEF FROM THE EQUALIZATION FORMULA CONTAINED IN THE 1971 JUDGMENT AND DECREE IN HOBSON V. HANSEN".

This report is being submitted for the information of the Board.

Sincerely yours,



Barbara A. Sizemore
Superintendent of Schools

Attachment

cc: Board Members
Mr. Cropp

SUPPORTING ARGUMENT FOR PETITIONING THE
COURT TO GRANT RELIEF FROM THE EQUALIZATION FORMULA
CONTAINED IN THE 1971 JUDGMENT AND DECREE IN HOBSON V. HANSEN

F I R S T D R A F T

Presently, the District of Columbia Public School System is under court orders to equalize funds allocated for teacher salaries and benefits to within plus or minus five percent of the city-wide mean for all regular elementary schools, as well as to provide services designed to meet the needs of all Special Education children. The District must also comply with Federal Guidelines to show that services and resources in Title I schools are comparable to the services and resources of non-Title I schools before Title I funds are provided. All three orders have been issued as a direct result of the urgent need for equal educational opportunity and quality education for all children of the District of Columbia.

There is evidence which shows that neither the Equalization Decree, or the Comparability Requirement has satisfactorily promoted the desired end. Compliance with the second court order effecting Special Education children has been difficult because of the conflicting nature of the guidelines of the other two. This paper seeks to analyze all alternatives and to postulate a new alternative in the concept of incommensurability. It is divided into 4 parts. Part I: Introduction, A Historical Perspective of the Quest for Equal Educational Opportunity; Part II: Equalization Compliance as a Result of the Wright Decree; Part III: The Requirement for Comparability of Services in Title I; Part IV: An Analysis of Incommensurability.

Part I

Introduction: A Historical Perspective of the
Quest for Equal Educational Opportunity
in the District of Columbia

Before adequate attention is given present strategem and alternatives in promoting equal educational opportunity for all school age children in the District of Columbia, an analysis of prior traditions in management and administration must be made.

Traditionally, schools in the District of Columbia, while designed to "meet the educational needs of all children," have been negligent in the provision of quality educational services to the children of families subsisting at poverty level and below incomes. In 1967, the policy of the school administration to callously abrogate the opportunity for equality in educational services of the black and poor was challenged in the case of *Hobson v Hansen*. It was revealed that there had been gross inequities in the allocation of resources between schools within the district favoring those schools West of Rock Creek Park with better services and more resources in terms of per pupil expenditure as opposed to the schools in Anacostia which were poorly equipped, poorly serviced and financially unable to satisfy the increasing educational needs of school age children there. The decision of 1967, was to equalize all school expenditures. It was the opinion of the court that changes in certain practices in the system would assure all pupils equal educational opportunity. The use of "tracks" within the educational program was declared unconstitutional, being discriminatory, and in violation of the equal educational opportunity provision. The issues concerning per pupil expenditures were never fully litigated, therefore the D. C. school system was ordered to equalize the allocation of resources. On May 25, 1971 Judge Skelly Wright decreed

that all funds allocated for teacher salaries and benefits be distributed to within a plus/or minus five percent of the city-wide mean for all elementary schools. This 1971 Decree implied that equal educational opportunity, was, at least, in part related to the equal distribution of those funds allocated for teacher resources, i.e., the amounts of teaching experience and formal education of classroom and resource teachers as expressed in TSA salary schedules.

It must be clearly understood that the Hobson v Hansen case and the subsequent Wright decree were intended primarily to insure quality education for all children regardless of socio-economic-political background. The District of Columbia has experienced a gradual decline in enrollment but according to the Superintendent's 120 Day Report, the demands upon the school system have been increasing due to the school and student socio-economic factors.¹

There has been a long history of economic deprivation for many black families within the District. Research has shown that there is a lack of adequate social and health facilities within the District. The need for individualized attention and improved educational services has been augmented and can be attributed to a history of social neglect.² The paramount exigencies for equity in educational opportunity can hardly be abated. Equal education must be defacto. Services must be provided which are designed to offset the handicaps arising from physical, mental, psychological or socioeconomic deficiencies.

The Wright Decree of 1971 was an admirable attempt in its design to circumvent the disparities in resource allocation, and the subsequent denial of equity in educational opportunity for most children in the District of Columbia. Yet, there needs to be more attention given to the goals and the process with which to achieve the underlying intent of the

1971 Wright Decree which was educational justice for all.

Research has shown that class inequities in school socialization patterns are reinforced by inequalities in financial resources.³ Surely, the decision of Judge Wright in 1971 addresses that issue. However, when dealing with the question of equality of "inputs," attention must be given the intended "output" and the methodology or process designed to maximize those inputs being used. The "Equalization Order" inherent in the Wright Decree implies that educational ^{goals, outputs} can be achieved by altering the educational "inputs" and makes no reference to the process by which these ^{goals} are to be realized. With little attention being given the "process," methodology or individual needs, the assurance and provision of equal educational opportunity, becomes a spurious undertaking as the perfidy of the school system to the qualitative education of all the children it serves is retained.

The intended outcome of the Wright Decree of 1971 was quality education and equal educational opportunity. An analysis of the problems faced by the D. C. school system with compliance will be analyzed within the text of this paper. What is important to consider at this ^{junction}, is, the fact that despite the compliance of November, 1973, with the Wright Decree, achievement levels of children in the D. C. school system have not increased. Indeed, in many instances, they've fallen short of national norms.⁴

This paper and the alternatives which will be postulated will also examine the Effects of Compensatory Education Programs on Children, with

special emphasis being given the Comparability Requirement of Title I. According to the proponents of Title I, "it (Title I) has always been intended to provide disadvantaged children with their fair share of national expenditures on education, and a basic assumption underlying it is that without a federal program, equitable treatment of these children is unlikely.⁵ Under the amendments to Title I (HR 69), the fundamental purposes and effectiveness of compensatory education programs are examined, and ways of identifying children in need are analyzed, as well as methods of meeting their needs, and alternative procedures for distributing funds. According to "Title I ESEA Selecting Target Areas - Handbook for Local Title I Officials," only children living in project areas receive services under Title I. The eligible attendance area that has been chosen by the local educational agency to be a participating area for the Title I program becomes the project area. The Comparability Requirement (which will be given extensive treatment in a later section) was introduced to make certain that Title I funds supplemented, rather than supplanted the regular budget. In theory, the Comparability Requirement states simply that State and Local Funds to provide services to project areas which, taken as a whole, are at least comparable to those in non-project areas.⁶ The rationale for enforcement was that it would insure that Title I money was not simply used as general aid. It was also anticipated that Comparability Requirements would provide a stimulus for budgetary change and improved accounting procedures.

The Comparability Requirement differs from the Equalization order in that it cites other categories including the equalization of funds allocated

teacher salaries

. The crucial difference between the two is that Equalization addresses longevity, Comparability does not. Recent data show that Comparability for all schools within the District of Columbia has not been achieved. More attention will be given that dilemma in subsequent sections of this paper. Basically, the underlying goals of comparability are identical to those stemming from the Equalization Order, specifically, equal educational opportunity for all children.

The rationale for a Comparability Requirement is a sound one, but careful analysis of much of the data to follow concerning the outcome of compliance will reveal that this alone does not insure quality education for Title I children.

Present Position of D. C. School Administration:

According to the Superintendent of Schools, the public school system in the District of Columbia "must be designed so that educational justice is afforded each child irrespective of ethnic, social, economic background - irrespective of physical and/or emotional, and/or intellectual handicaps. Every child must be provided equal access to learning situations which build and/or enhance the unique talents cultures, languages, which he or she brings."⁷ The central theme evident in the desires of the Superintendent for the system, evident also in the logic and rationale of both the Wright Decree and the Comparability Requirement is that "output" be concentrated on. This terminal objective becomes somewhat obscure with repeated emphasis given to "input", yet, in postulating a viable alternative, not one of us can lose sight of that end.

Equal educational opportunity can best be defined as those provisions made to offset, or delete the handicaps in learning of children, with diverse backgrounds. Implicit in this definition is the understanding that all children, regardless of race, ethnicity or cultural origin be given the same chance for skill mastery and achievement as those reflecting the background of the middle class majority. Equal educational opportunity would most assuredly include a mandate for "equal access" of resources available for student use. If equal educational opportunity is to be the end result of any educational program, Decree or Requirement, that particular program, decree or requirement must postulate an equitable distribution of resources. Equity is not always measured by a base demand for equal dollar expenditures, but rather, considers "justice according to natural law or right." This definition, for our purposes here, is supportive of the basic contention that varying amounts of certain resources are needed to satisfy varying congenital differences in individuals - if in fact, equity is also a desired end. The amount expended for a given child's education must be commensurate with the needs of that particular child. It is the position of this administration that the education of some students would require spending more in order to provide them "equal educational opportunities."⁸

The use of educational "inputs" can also be analyzed considering the concept of cost-benefit." In simplest terms, this concept merely addresses the efficient and effective use of resources so as to facilitate the achievement of desired outcomes. A decree or Requirement for equal or comparable

expenditures must also consider the "efficient and effective" use of those expenditures. Consequently, we must move beyond the question of input into an analysis of the effective use of those inputs or be guilty of spurious undertaking in promoting the much vocalized objective of quality education.

Quality education for our purposes here can be defined as that which is superior in nature. A superior education can only come about as a result of the effectiveness of an educational program. The cost of such a program is a vital consideration, but should not abate the effectiveness of said program (i.e., the process) by which the "superior" grade is reached. Henry Levin expresses the dilemma we face succinctly:

"Compensatory efforts have failed because they've focused on additional personnel, but, the types of teachers, the curriculum, school organization and the educational methods* that've consistently failed ghetto children have been retained."⁹

If we analyze the substance of Levins' research we find supportive evidence for the premise maintained herein - that methodology within the educational process must be given adequate attention in the procurement of quality education.

The equal allocation of resources is a beginning. Yet, we must not let the educational urgencies of the children in the D.C. school system be slighted or short changed in our emphasis on this factor alone. We cannot afford - for the sake of all of our tomorrow's - to let the quest for quality education end here. If we define "resources" adequately, it becomes

* Note - emphasis added.

apparent that "resources" include factors other than monetary input. Re-
sources must be defined for our purposes here, as all of the factors that
go into learning for a given child, including those that are environmental.

Both the Wright Decree and the Comparability Requirement are concerned
with only one segment of the solution. The alternative presented here
addresses the problem in its entirety. Equal Resource Allocation, as pre-
viously stated is a beginning, but "equal" should incorporate "equity" -
which is, of course, a measure of justice. In allocating resources judi-
ciously and equitably, attention must be focused on individual needs and
cost-benefit models inherent in the educational program. Since "Equaliza-
tion" addresses a broad measure of equality, attention must now be given the
other variables to be considered in assessing individual needs.

Nature of the population:

According to statistics included in the Superintendent's 120 Day Report, approximately 20,000 families in the District of Columbia have earnings of under \$4,000. It has been estimated, therefore, that 83,000 persons in the prime earning years are subsiding at a level of poverty. This figure excludes children under 18, but is inclusive of the families these children live in. Approximately 95% of the estimated 131,300 school children in the District of Columbia are black, and the increase in demands upon the school system (due to school and student socio-economic factors) to provide quality education and to satisfy basic educational needs have been seriously debilitated without the provision of adequate funds. It has been the philosophy of this Administration that the school system be designed so that educational justice is afforded each child irrespective of ethnic, social, or economic background. The fact that the majority of school age children in the District are "nonwhite and without the benefits of family affluence" is evidence that there is congenital variation. These congenital differences must be addressed in the educational program, otherwise the illegality of discrimination in the educational process loses significance as does the provision for equal educational opportunity. The question of differential effects of earlier environment in relation to the kinds of learning it has fostered, supported, inhibited or denied must also be given careful scrutiny. The goals of this administration to assure "educational justice..." for all children are juxtaposed with the plan by which these goals are to be met. The fact that compliance with the Wright Decree and the Comparability Requirement has not rendered satisfactory realization of the system's goals suggests

also that something more is needed.

This paper seeks to analyze a viable alternative that is rooted in the concept "equality". According to David Hawkins:

Equality need not be absolute, the postulate need only be close enough to the truth to invalidate ~~that~~ which says that the natural superiority of some men is sufficient, in the state of nature, to create a stable order based on dominance.

If education is to address the educational needs of each child on an individual basis, educators and administrators alike need to adhere strictly to the reality that, "equal" educational opportunity should abrogate any reference to superiority of some, but concentrate solely on the congenital variation of all. The postulate being presented herein, recognizes the fact that "human beings are never indistinguishable, never identical to each other, even in respects important for learning and education. They are, rather, incommensurable in their differences." If this postulate is accepted and drawn upon in preparation of the educational program, a rather equitable educational system wherein justice is afforded all, and whereby every need is defined and met will be the outcome. This postulate will be developed further within the context of this paper. Considering the focus on variations in human growth and development presented in the Superintendent's 120 Day Report, the postulate of incommensurability is consistent with the philosophy and plan of the present Administration in seeking a just educational program. Before a detailed case for the postulate of incommensurability is presented it is incumbent that we first analyze more the shortcomings of the two orders this system must comply with; Equalization (the Wright Decree) and the Comparability Requirement.

PART II: COMPLIANCE WITH

EQUALIZATION AND THE

WRIGHT DECREE

The Wright Decree, which called for an equalization of teacher salary expenditures was issued on May 25, 1971. On November 30, 1972, defendants submitted statistical data to the Court pursuant the Courts order, as amended August 1, 1972. At the time, the defendants did not dispute the fact that the data in the submission showed that 55 out of 132 District of Columbia Elementary Schools had been out of compliance since the opening day of school (Sept. 7, 1972). Draper Elementary School was one example, having been shortchanged by over \$100,000 worth of teaching resources. On December 6, 1972, the deadline for compliance was advanced to December 20, 1972. On January 10, 1973, the Superintendent of Schools, Dr. Hugh J. Scott submitted a compliance plan for approval. The plan submitted on January 10, 1973 was accepted by the Court. On October 26, 1973, another plan for Equalization was submitted to the Board of Education. On November 10, 1973, this too was acceptable by the Court and the plaintiffs. The fact that the Compliance report was accepted by both the Judge and the plaintiff should not be misinterpreted as "satisfaction". The plaintiffs were not and are not now satisfied. The premise made earlier that neither Equalization or Comparability seeks to alter the educational process should be reiterated here. The fact that nothing has been attempted in this area is perhaps the only necessary evidence needed to show that quality education is the result of a complete revamping and not just a "beginning" or "first step", if you will. The dissatisfaction of the plaintiffs is directly attributed to the reality that equal educational opportunity remains a concept, a philosophy, a rhetorical ideal. It will remain exactly that unless attention is given to methodology and the allocation of

resources based on that methodology, rather than the reverse which had been the case in the past.

The fact that the plaintiffs are now assured some semblance of equality considering the plus or minus five limits is of significance. Before the Wright Decree, there was scarcely any evidence to show the black and poor majority was given an equal chance in the Educational arena. The allocation of resources must be commensurate with the needs of a given child for success within that arena. The fact that the D. C. School system is being forced to provide equal educational opportunity should be accepted ONLY in so far as equal educational opportunity is actually the outcome. Equal allocation of resources does not and can not possibly ever be accepted as being synonymous with equal educational opportunity--that comes about after the money is spent.

One cannot help but agree wholeheartedly with the spirit of the Wright Decree. The intent to provide quality in education reflected in this admonition of the Courts can certainly be appreciated by the proponents of educational justice. Yet, it must not ever be said, either implicitly or explicitly that the actual intent become stifled through compliance with the directive. It is important here that attention be focused again on the goals of the Hobson-Hansen case and the subsequent Wright Decree. The goals as previously sighted were the provision of equal educational opportunity, and quality education for all children in the District of Columbia.

Equalization of expenditures based on teacher salaries is but one means of achieving that end. In this particular instance, the conclusion that the means did justify the ends was indubitable. Yet, the education of the children in the District of Columbia should show that not only does the means justify the ends, but that the means employed does infact promote the desired end--with benefits accruing to the consumer or the child. When it becomes evident that one alternative (although justifiable) is perfunctory, it is necessary to decide on another one. Judge Skelly Wright left the door for viable alternatives open when the original decree was handed down. Before attention is given the shortcomings of the Decree, let us first consider the positive aspects:

- 1) the children in Anacostia, who had been forlorned in the educational program of the D. C. School system were given more resources to work with and a new lease on educational opportunity.
- 2) a computerized run of changes necessary to achieve equalization of teaching resources show that some schools were able to add as much as 6 special subject teachers and \$46,493 to the school budget.¹²
- 3) this plan does give local school administrators the chance to determine part-time and full-time teaching services needed until the school reaches its total in allotted dollar input.

Despite the compliance of November 10, 1973, special subject areas were given inadequate attention. There were no transfers of classroom teachers, but special subject teachers were shifted. The deficiencies

of D. C. school children in reading and math are partly attributed to the constant shift of teachers in these subject areas. It was and remains the policy of the District of Columbia Board of Education to accept administrative plans designed to provide quality education. The most recent equalization plan, of November 10, 1973 showed that some schools lost dollars, but consideration was given priorities when reductions were made. Whenever it became necessary to remove or add services for schools out of compliance, vacancies in subject areas where personnel were unavailable were given first priority for transfer.

As a result of the compliances of January 10, 1973 and November 10, 1973, several detrimental occurrences began to manifest leading us again to the conclusion that an alternative plan had to be formulated. Some of the experiences are as follows:

1) Effect on Local School Management's Staffing Decisions

Based on a teacher salary factor, the current plan of Equalization restricts the local school management in making important staffing decisions. It became evident that the necessary filling of a staff vacancy quite often resulted in a decision affecting not only the vacancy but other positions as well. This coercive shifting pattern has created adverse effects on the relationships between teachers and principals, as well as the effectiveness of that principal. In addition, the shifting has contributed to what amounts to a wasted effort of the staff development operation of

a given school, quite often dismembering organizational and instructional teams where efforts involved a great deal of time, money and expenditure of energy.

2) Effect on Compensatory Education

The Equalization plan does not provide for certain compensatory needs of some students. This, of course is tantamount to the observation presented in the introduction that little attention is given the educational process whereby individual needs are assessed and met. The Wright Decree endeavors to achieve an equalization of dollars of which the desirability and appropriateness may be seriously questioned.

3) Effect on Staff

Equalization under the present plan is influenced by very small variations in pupil enrollment and staff size. It can be concluded therefore that it is impossible to maintain ongoing equalization without continuous reshifting of resources (in the form of teachers) across the city. While it is an accepted caveat, assignment and involuntary transfer of staff must be a condition of employment, the shifting of teachers to promote compliance has been extremely damaging to staff morale. Once morale has been adversely affected, the efficient and effective use of teacher time suffers. The consequences are endured therefore by the consumer again (the children) and we find the intended desires of the Wright Decree for quality education abated in this damaging boomerang affect.

4) Effect on Program

A further consequence of compliance with the Wright Decree has been the disruption of ongoing programs. Since so much emphasis is placed on the equalization of "inputs", we see again a situation arising wherein the methodology and the program used as the vehicle by which equal inputs becomes equal outputs is undermined. In many of the schools in the District of Columbia, the transfer of teachers (as was done in the January 10, 1973 compliance) and the shifting of special subject teachers (as done in the November 10, 1973 compliance) have wreaked havoc on the attempts of this administration to create a viable, efficient, effective educational program.

5) Effect on Children

Considering the nature of the population in the District of Columbia, and the fact that many of the children come to school with dire needs for security and love, the shifting of teachers can have extremely adverse effects. Once children have resigned themselves to accept the fact that what's good today will probably be gone tomorrow, we find the courts and this administration guilty of neglect and perniciousness in satisfying the array of emotional needs children bring to school with them. Research has shown that student performance is related to some degree of frequent contact with or proximity to the staff.¹³ If this system is to augment achievement levels and meet many

of the emotional needs, then some attention must be given these shifts and the undesirable effects often creating irreparable damage.

6) Effect on Special Services

According to research and study: "Some pupils begin their schooling with more physical disabilities and less psychological preparation for adjusting to the procedures of formal education.

If we expect the results of schools to provide equal opportunities in later life, then greater schooling resources should be given to those who begin with disadvantages. The fact is that school's must expend more on lower socio-economic status groups!"¹⁴

If it is accepted that equalization should implore equity and justice, then it can also be accepted that some individual students would require more in order that they may have equal educational opportunities. The limitations and restrictions placed upon the D. C. School system in promoting special programs for those in need to insure equal educational opportunity have been costly. Despite the fact that this promulgation was dispensed to "eradicate racial and economic discrimination in the allocation of resources", we find the systems ability to respond flexibly to student needs hampered and seriously circumvented.

The Waddy Decree Conflict:

The Wright Decree has also frustrated attempts of the District of Columbia School System to satisfy the Waddy Decree arising out of the Mills vs. Board of Education of the District of Columbia, 348 F. Supp. 867,883. The Decree calls for the provision of an educational program designed to meet the needs of special education students in terms of emotional development, cognitive development, sensory development, and mastery in the affective and psychomotor domains. Specifically, Judge Joseph C. Waddy Decreed on April 7, 1972 that "Defendants shall provide plaintiffs Peter Mills, Duane Blackshear, Steven Gaston and Michael Williams with a publicly supported education suited to their needs".¹⁵

Since the Wright Decree for Equalization abrogates the ability of the School System to satisfy individual needs, compliance with the Waddy Decree can hardly be realized. Equalization cannot address the concerns of the plaintiffs in the Mills case.

Conflict with Comparability Requirements:

The requirements for comparability of services issued on June 28, 1973 in the Federal Register of the Department of Health, Education and Welfare, Office of Education conflicts also with the ability of this system to comply with the Wright Decree. The basic difference between Equalization and Comparability is that Equalization as stated calls for the allocation of teacher salaries and benefits within a plus or minus five percent of citywide means. This includes, of course, benefits of longevity. Compliance with the comparability requirement focuses attention on base salaries alone, with no attention given benefits of longevity. In order to satisfy comparability in June 1974, several changes had to be made. These changes involved the shifting of numerous personnel. The significance of that, for our purposes here is that compliance meant destroying

the measure of Equalization that had been achieved. This system cannot do both simultaneously.

The Future of Equalization:

Considering the evidence presented which sight the shortcomings of Equalization, the question of how best to insure equal educational opportunity remains unresolved. We are reminded that Judge J. Skelly Wright in handing down the decree stated that "at some future time the Board and the School Administration may adopt specific measurable and educationally justifiable plans which are not consistant with the present plan".¹⁶

The fact that equal educational opportunity can only be assessed in light of individual students needs indicates that the alternative plan must incorporate in its design a postulate for satisfying the variations among individuals and congenital differences that arise. In looking at the desired terminal objective, it is imperative that we develop a model. In designing an alternative plan, the benefits inherent in the Wright Decree must not be deemphasized. The eradication of racial and economic discrimination in the schools of the District of Columbia is a condition that MUST be maintained. Yet, an alternative plan can augment the value of the original decree by substantiating the intent with a program designed to insure the desired end. There is no reason to believe that the educational process will be unsuccessful if adherence is given another postulate designed essentially to reverse the shortcomings and adverse consequences of an earlier proposal. Before thorough attention is given this alternative plan, an analysis of the experiences of the District of Columbia School System with the comparability requirement must also be made.

PART III

TITLE I REQUIREMENT FOR COMPARABILITY OF SERVICES

In 1965, when the Elementary and Secondary Education Act was passed, the pervading mood was one of optimism, in so far as the attainment of quality education was concerned. Of specific interest was Title I of that act which provided monetary input designed to "meet the special educational needs of educationally deprived children". This provision was seen by many as a landmark reversal of traditional opposition to Federal aid in education. It was a general consensus that, as a direct result of this stand by the Federal Government, children could be provided good school programs, and for the first time be offered equal educational opportunity. Early proponents of Title I saw it as a great victory for categorical aid. It must be said here that the justification for Title I "was not, ultimately that children from low-income districts have more money spent on them but that they are getting a better education than before."¹⁷ The Comparability Requirement was introduced when it became evident that some Title I funds, intended to be additional, compensatory funds for local resources were used to supplant the budget. According to Iris Rotherg, it became extremely difficult to know whether Title I had resulted in:

1. Symbolic allocation - where it replaces local funds that would otherwise have been spent in this area
2. Catalytic allocation - where it acts as a pump primer, stimulating further local expenditures
3. Perfect allocation - where funds are being added on to existing programs without either diminution or additions. The Comparability Requirement states simply that the average non-Title I expenditures in each Title I school be precisely comparable to the average expenditures in non-Title I schools in the same district. This provides some assurance that Title I money was not simply

used as general aid. According to Sec. 141 (q)(3) of Public Law 91-230 on Comparability Requirements, funds are to be withheld for non-compliance beginning July 1, 1972.

It was also thought that the Comparability Requirements would "provide a stimulus for budgetary change and improved accounting procedures. Comparability was thought to be able to induce evaluation and cost-effectiveness in education. Per pupil budgeting, which had been rare was thought to be given new consideration. Yet, in light of the intended outcomes of comparability compliance, the educational programs in many schools was left unaltered, and considerations hoped for given very little attention.

The selection of Title I schools is based on need. Key attendance areas with high concentrations of low income family children are chosen first as Title I districts. The regulation in this particular selection process is that the percentage of children in a given district coming from low-income family homes be higher than the district average. The Title I children are chosen on the basis of educational criteria. A needs assessment is taken and the Title I program is developed around the needs of those children. There have been several criticisms of the selection process for Title I children. The data sources for selecting Title I Target Areas and the advantages and disadvantages of each are included in Table I.

The Comparability data collection for the local education agency (LEA) should include the following:

A. The ratio of children enrolled per FTE Instructional Staff Member

Instructional staff members include:

Certified classroom teacher, plus other certified instructional staff, plus non-certified instructional staff.

Each Title I school must be equal to or lower than the average ratio of

SOURCE	DATA ITEMS	ADVANTAGES AND DISADVANTAGES
1. 1970 Census Data (Income Levels)	Counts of children Counts of low-income families	<p>Advantage: Comprehensive sampling, generally accurate. (Best source)</p> <p>Disadvantages: Census geography not coincident with school attendance area geography. The Department of Research and Evaluation have coded every city block in terms of elementary school attendance areas in order to relate census data on social economic characteristics to school attendance areas.</p> <p>Block and tract levels data on income are not yet available for the District Columbia. Expected date of release is late April or early May.</p>
2. Aid to Families With Dependent Children	Counts of children from low-income families	<p>Advantage: Data is recent, generally accurate</p> <p>Disadvantages: Incomplete -- misses poverty groups who choose not to use AFDC. Data not collected by attendance area.</p>
3. Free Lunch Program	Counts of children from low-income families	<p>Advantage: No geographic transformation necessary. Data collected by school.</p> <p>Disadvantages: Requires submission of economic data by family. Incomplete -- misses poverty children who choose not to be in the free lunch program.</p>
4. Public Housing	Counts of children living in public housing	<p>Advantages: No geographic transformation necessary. Data collected by school attendance areas.</p> <p>Disadvantages: Public Housing is not available in certain areas of the city. Persons may be unable to qualify for public housing due to insufficient income.</p>

SOURCE	DATA ITEMS	ADVANTAGES AND DISADVANTAGES
5. Housing - Crowding Statistics	Counts of children living in overcrowded housing;	<p>Advantage: Available from 1970 Census</p> <p>Disadvantages: Data not collected by attendance areas. Not directly related to income.</p>
6. Health Statistics	Relative intensity of health problems among geographic areas.	<p>Disadvantages: Data not collected by attendance areas. Data not translatable into numbers of children.</p>
7. Employment Statistics (1970 Census)	Relative concentrations of unemployment problems among geographic areas	<p>Disadvantages: May not give a complete description of needs. Data not collected by attendance areas. Less effective than census income data. Data not translatable into numbers of children.</p>

non-Title I schools. Instructional staff are comparable as long as the ratio of children enrolled per full time equivalent staff member, for each of the Title I schools is not more than 105% of the ratio for the average of the non-Title I schools.

B. The annualized expenditure per enrolled child for: Instructional salaries (less longevity), for each Title I school is equal to or higher than the average expenditure at non-Title I schools. The annualized expenditure is comparable as long as the expense per pupil for instructional salaries in each Title I school is not less than 95% of such expense for the average of non-Title I schools.

C. An LEA which fails to meet the requirements of either A or B, must, in addition, demonstrate comparability on C. The amount expended per enrolled child for:

Textbooks

Library Resources

Instructional Equipment

Supplies

Other Instructional Materials

Each year, the District of Columbia Public School System has had to show compliance with the Comparability Requirement. This, in recent years, has not been a very successful undertaking. Compliance with the Comparability Requirement as of March 31st presented a chaotic, crisis situation. Part of the chaos resulted from the fact that major shifts and revisions had to be undergone in "undoing" equalization and satisfying the guidelines of comparability in A, B, and C above. Also, considering the fact that the District of Columbia school system was seeking ways to comply with the Waddy Decree, comparability was an additional exercise in futility.

The intent of the Comparability Requirement was to insure equal educational opportunity. Certainly, the spirit of this intent is collaborated in the philosophies and goals of the D.C. school system evidenced in Board policy and Board support of the Superintendent's 120 Day Report, March 1974. Yet, despite the attention being given to such important resources as textbooks, instructional equipment and comparability of all staff resources, the requirement only gives attention to the equality of input, and does little to substantially improve the educational program.

The very fact that the requirement excludes the longevity factor is evidence that adequate attention is not given the educational process. There have been many arguments both favoring and disfavoring the longevity question in teacher expenditure. While it may be said that there is no conclusive evidence that teachers who stay around longer are better, the argument advanced in the theory behind comparability that concentration on base pay and the "supposed" measure of training assures a highly efficient staff as comparable to an experienced teacher is absurd. A study by Eric Manashek (1968) found a significant relationship to achievement for teachers' verbal ability, experience, salary level and employment status - these he found to be positively correlated with one or more measures of pupil performance. Therefore, it would seem that base pay (which shows a higher salary level for a teacher with an M.A. and no experience over a teacher with a B.A. and 10 years experience) can be very misleading in assessing teacher quality and in provision or denial of equal educational opportunity.

There have been many who have considered Title I a failure. "Between 1965 and 1968 over \$3,000,000 was spent to offset the disadvantages of six million children under Title I, yet no significant improvement can be directed in the learning of these children. Compared to white middle classmates, they are further behind."¹⁸

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remained unaltered. A look at the Test Score results of March 1974 provides supportive evidence for Katz's premise. Children cannot possibly receive "equality" until something is done to affect the educational process.

Some of the experiences of the District of Columbia Public School System in the compliance with the Comparability Requirement have been:

1. Effects on local School Management and Staffing Decisions

As in Equalization, the shifting of personnel to comply with or fill a given vacancy had drastic effects on the decision-making process. Further because comparability concerns all instructional staff, some teachers were required to visit different schools daily as other para-professionals, including aids were added to satisfy the requirement for pupil/teacher ratios. The satisfactory compliance of a ratio alone in no way assures the advent of a viable educational program. This is especially true considering the fact that a given school with a high concentration of "experienced" teachers (no M.A.) as opposed to one with "trained" teachers (with M.A.'s) constitutes a situation where the latter school will have a higher pupil/teacher ratio, and may have to decrease the staff of teaching aids. A teacher coming into a system with no experience certainly needs the assistance of an aid more so than the experienced teacher whose pattern and style have developed significantly. Staffing decisions in compliance with this Requirement have been made in many instances to insure compliance only. The educational program has had to suffer in lieu of staffing shifts.

2. Effects on Compensatory Education

Again we have a situation where the use of dollar inputs can be called into question. The acceptance of the present hierarchical, role-reinforcing structure of education while making attempts to subvert the deficiencies with

massive infusions of traditional resources simply cannot work. There is a low probability of success for compensatory education programs within the existing framework of education. Unless adequate attention is given the process whereby individual worth and needs are catered to, there is little likelihood of success.

3. Effects on Staff

Comparability Requirements have meant a greater shifting of staff than equalization. This is because comparability deals with all staff in a given school. Therefore, teachers, special subject teachers in particular, have had to endure great hardships in some instances, traveling to as many as five different schools in a week to insure compliance. Staff morale, satisfaction and effectiveness have diminished significantly as a result of this unhappy, yet unavoidable occurrence.

4. Effects on Educational Programs

The ability of a given school to establish an effective educational program rests with the propensities in many cases of providing for staff development and continuity. The school system has been denied flexibility in designing educational programs because of the coercion to show statistical evidence that certain factors are comparable. Consequently, the educational programs of many schools are given way to the exigencies of Federal guidelines, rather than the pressing on-going needs of children for continuity in the educational process.

5. Effects on School Children

There is evidence that Title I legislation has promoted defacto segregation (by race and class) in Title I schools and that children in the program were placed in what is effectively a separate low-status stream (Wargo, 1972). Guidelines for selection of title I children declare only that school

districts "evaluate the evidence concerning the educational needs of the children who live in eligible attendance areas". How these evaluation are to be carried out, how often and with what precise content is not specified. As a result, we know very little about the exact academic weaknesses, needs, past performance, and family background of the children served; about how they compare with their peers, or are selected for program participation; or about how selection procedures vary with or affect the type of Title I program adopted.¹⁹ These findings indicate quite clearly the fact that Title I may not adequately address the needs of the children it purports to serve. The disruption in the educational process, coupled with the evidence cited here substantiates the argument that oftentimes instead of promoting a unique learning situation, Title I may create a hindrance to the natural growth and acceptance of its children by their peers.

Perhaps the most positive benefit of Title I and Comparability is the intent. Originally, we have shown, Title I was thought to be the solution to the dilemma of how best to provide equal educational opportunity. Rather than create an effective, viable alternative, the dilemma of compliance in the D.C. School System has been exacerbated. We cannot be certain, as a result of the test scores in the system that the intended outcome of quality education has, in fact, been achieved. The theory behind comparability is a sound one, and most assuredly a small step in the right direction. Yet, as was the case in equalization, a step in the right direction is not enough. The administration of the District of Columbia Public Schools cannot afford to have the quest for equal educational opportunity end in theory. This concept must include a working methodology that will insure attainment of those desired ends.

The theory behind comparability, that supportive funds for "educationally disadvantaged children" be provided to supplement the regular budget can bring about equity in education if attention is given to factors in the educational program such as staff development, in-service training, a criterion-reference curriculum, multi-age, multi-level grouping, peer teaching, individualized instruction and other activities outlined in the section on curriculum which we know will bring about a 90% mastery of skills by 90% of the students.

If a workable alternative to comparability is formulated, it is quite likely that a compromise will be reached between the D.C. school system and the Title I office. Such a compromise might consider the effects of longevity on various components of the educational program. Such a compromise might also consider data compiled on question of class size, as well as innovative teaching techniques designed to enhance and facilitate the learning experience. Until such areas are focused upon, comparability requirements will never insure quality education nor equal educational opportunity. It is the children who will suffer ultimately. In most cases, suffering is inevitable for the children are denied equal educational opportunity on one hand if school systems comply and nothing to facilitate the actual learning process. On the other hand, if no compliance is rendered, the schools lose Title I funds and children are made to pay the consequences.

The alternative postulated herein seeks redress of the shortcomings inherent in both equalization and comparability. It should be analyzed for feasibility, especially in light of the urgent need of a viable, workable alternative.

PART IV: THE POSTULATE OF INCOMMENSURABILITY

Henry Levin has stated that "spending more money on such traditional panaceas as reduction of class size is not going to change the qualitative nature of the basic schooling processes that didn't have black children in mind to begin with. Kenneth Johnson is supportive of that conclusion, for he sees the failure of compensatory education in the fact that these programs have sought to turn black children into middle class children so they can fit the curriculum. ²¹ Equalization and comparability compliances have never been concerned with the "cultural incompatibilities" which prevent most Black and poor students from generally being able to meet the needs of so-called Anglo Americans. ²² In a court case in San Felipe Del Rio, ~~undated~~ Independent School District in Texas, Judge William Justice declared that special consideration be given Mexican-American students in assisting them in adjusting to those parts of their new school environment which present a cultural and linguistic shock. It is evident therefore that individuals of different cultures, of different environments and different race bring with them different experiences into the educational arena. The postulate being presented here recognizes the fact that children vary in the experiences they bring to the educational program. Children can learn equally, in general, only as they learn differently. This fact can further advance the premise of congenital variation.

David Hawkins tells us that children are "incommensurable" in their differences.

Incommensurability excludes market place or IQ dominated notions of unalterable inequality implicit in the "superior student" "ability grouping" and so forth. For these imply commensurability, the belief that "the more able" excel the "less able" along all possible tracks. In this connection it should be emphasized that incommensurability implies that individuals can be compared and ranked in many sorts of ways. It means that such comparisons are vector rather than scalar. It implies that in general one individual does not excel another in all relevant dimensions, does not, in mathematical language dominate him.²³

We know that each individual is uniquely different from others around him. The postulate of incommensurability addresses those differences and recognizes the fact that children are "congenitally varied" as opposed to unequal. It takes into consideration the various differential effects of home and early environment. Such considerations must be provided before one can discern what kinds of learning have been fostered, supported, inhibited or denied. It has been said that education should incorporate as much of a child's environmental experiences as possible to be relevant. Incommensurability focuses on and emphasizes the importance of "local and

dependent" curricular and instructional choices. It is interrelated with the educational resources of their total environment. Thus, we have a situation wherein children learn based on an educational program directly related to differential effects of early environmental learning. According to Hawkins, only incommensurability can assure "an attainment to a common culture, a common world of meanings and skills, intellectual tools, moral commitments, aesthetic involvements in diverse children through a matching diversity of learning styles and strategies."

According to the Superintendent's 120 Day Report, the goals of this administration are to provide an array of services when they are needed, where they are needed and as often as they are needed. Children from diverse backgrounds need many additional considerations in order to have equal access to education. It becomes imperative in the quest educational relevancy to initiate a community building process. Teachers must be able to "benignly" effect students in making possible the procurement of equal opportunity. The problem, traditionally, is rooted in discrepancies as to what constitutes "equality." According to the evidence of recent equalization orders, we find there exists an unworkable notion of equality in the context of the use given in various court decrees. What has been termed "equality" in the educational context is actually analogous with "equality" in mathematical language.

This document is controlled by Lawrence Green:

"For example, we have to ask ourselves whether

whether one seeks to measure equality in terms of inputs

(as accrediting and certification) or in terms of output

(as in standardized testing). And our experience with

"remedial" or compensatory education suggests that the

current concept of "equality" at a practical level is un-

workable, if not destructive.²⁴

A mathematical implementation of the decree for "equality" is neither consistent with present theory on education production functions nor is it viable in light of recent research which shows that certain fiscal restraints may better be overcome by educational rather than economic manipulations.²⁵ Incommensurability, in recognizing the need for strategem designed to enhance the relative worth of human variation and differential environmental effects, underlines the importance also of intertwining curriculum to the educative resources of a child's total environment, which is known by that child or is capable of being discovered in an educational program. Hawkins feels the postulate is applicable to "advantaged" children as well.

When it becomes evident that the "opportunity" to which we are speaking in "equal educational opportunity" unequally and ineffectively impinges on the lives of diverse human beings, it is necessary to revise our thinking. It has been stated previously that the failure

of compensatory programs in the past can best be attributed to the emphasis on a "middle class curriculum that has consistently failed ghetto children. By addressing diversity and differential learning, incommensurability as a program places value on the recognition of the individual, and the inherent worth of a unique personal style and synthesis which interests us in each other. Individuality is described by Hawkins as "the character which members of our own species possess. It neither implies dominance nor identity, but equivalence within a domain of relations sustained by individual diversity. If the old word of equality should be used on this sense, it is the equality of craftsmen working at different tasks and with different skills, but with plans and tools congruent enough to provide endless analogies and endless diversions. Or, it is the equality of authors who read other authors' books, but must each, in the end, write his own."

The attention given individual variation in human growth and development by the Superintendent in her 120 Day Report is indicative of the concern of this administration on the satisfaction of each individual need. Moreover, the instructional activities outlined in the curriculum plan were developed as a direct result of the understanding of individual worth. The intent of the D. C. School System to "provide for all children the opportunity to achieve mastery of needed skills by supplying each child with the modes of learning

and resources which he needs to succeed" implies that there is to

about if the system is given the flexibility to respond to the assessed needs of each child as those needs are recognized. It may be necessary,

for example, to give some children additional benefits of instructional

equipment, such as media to augment his unique talents (it should be

noted that "his" in all instances herein is neuter, referring to

both male and female children, whereas, use of "her" indicates re-

ference to women only). A recognition of differential learning

patterns implies that some children may need a great deal of cajoling,

others may need more freedom in experimentation while others need

only the refreshing input from other peers. Since education should

incorporate a community building process, it may become necessary to

channel resources into activities of the learner outside the confines

of the school edifice. The many faceted characteristics of experience

and learning must be understood within the dynamics of the educational

program, and the ability of teachers to benignly effect must be

developed and given thorough consideration. Since research has shown

that student achievement levels are positively correlated with fre-

quent contact with staff,²⁷ the postulate of incommensurability is

applicable to those effects on student achievement and well-being.

The elements of incommensurability are as follows:

1) Per-pupil budgeting:

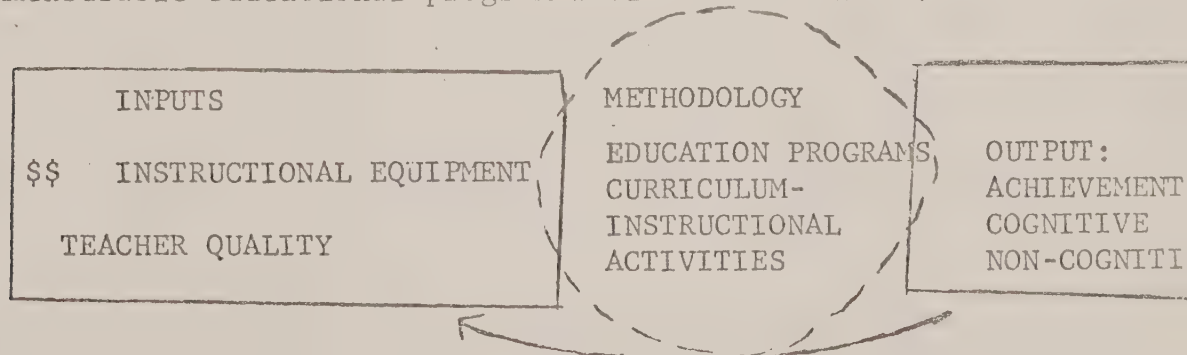
Only through a system of individual budgeting based on the assessed needs of a given child can any assurance be given for the attainment of equity.

2) Curriculum development

to analyze what a given curriculum should do, and then developes the educational program based on that criteria. The success of the curriculum is then attributed to the satisfaction of goals referred to as being critical in the cognitive development of the child.

3) Financial considerations

Incommensurability satisfies the logic that educational programs be adopted on the basis of individual needs. Therefore, each is given according to respective needs. Incommensurability further negates the use of mathematical models in the notion of equality. We know now that equal inputs does not necessarily constitute equal outputs. Therefore, the model to be followed in the implementatation of an incommensurable educational program would be as follows:



Each segment is overlapping because the inputs are inclusive of certain aspects of the educational program. The outputs are based on the educational program, and are altered because

of changes therein. In most instances, the educational outcomes will be re-evaluated based on the effect of the methodology. The finances are considered to be re-cyclical- based on a continuous evaluation of achievement of specified outcomes and the need for additional input.

4) Language/cultural incompatibilities:

The very nature of the postulate of incommensurability recognizes the inherent incompatibilities of children from diverse ethnic groups with those of the Anglo-American majority. Through recognition of diverse learning patterns and individual needs, the gap between language and culture is abridged as ethnic worth is enhanced. Languages and cultures become unique and so-called "incompatibilities" give way to the design for congruence of background with the educational program.

5) Two-tier Credentialling

According to Lawrence Freeman, it is imperative that teachers not only have competence in a given area and in their ability to teach children, but also be able to "teach something of conceivable worth and value to someone or some group with the notions of worth and value broadly interpreted. The argument for two-tier credentialling recognizes the fact that teachers should be able to "benignly

affect" the achievement and well-being of the children

dividual life style can a teacher significantly facilitate development. An individual who is forced into the mold

of another individual can neither create nor develop his potentials. A teacher who recognized the incommensurability of students can take action designed to maximize the potential of every child in the classroom.

Two tier credentialling does not necessarily imply that the length of service better equips a teacher to influence cognitive, affective and psychomotor skills. Yet, experience may provide a better insight on how best to handle congenital differences and to enhance individual worth. There has been one argument made which maintains that teacher effectiveness reaches a peak after 6 years of experience and levels off after that. The plaintiffs in *Hobson v. Hansen*, and Judge Skelly Wright maintain longevity is a vital factor in promoting equal opportunity. Incommensurability neither negates nor affirms the conclusions reached on the benefits of longevity. Rather, it seeks to facilitate teacher effectiveness through staff development and in-service training programs as opposed to reliance solely on the skills a particular teacher brings with him.

The postulate of incommensurability can be assured success only if the needs of children from lower income poverty levels are given sufficient focused attention on student needs, with prior consideration given the "desires" (not needs) of children West of Rock Creek Park for a more extensive educational program. Children in Anacostia were bereft as their needs were ignored and adumbrated in unequal allocation of resources and poorly developed educational programs. The philosophy "to each according to his need" is valid only when the needs for quality education for all children is addressed. In this manner a character of interest for the welfare of all children in the District is established.

Through staff development and the creation of an educational program around the postulate of incommensurability, instructional activities will be developed to bring about a 90% mastery of skills by 90% of the students. Since the model of incommensurability shows an overlap between input and the educational program, we find the concern here is with a quality which the educational program is designed to assure. School services become qualitative as the educational program reflects quality. It has been shown that higher quality school services are associated with higher levels of achievement.²⁹ An educational program that is designed to facilitate learning based on individual needs immediately assures that "slow learners" will become average students as the educational process affords them the opportunity to learn at their own pace with activities for learning designed specifically for them.

Incommensurability seeks to reprove educational protagonists who wish to disparage the rights of others. It will suffice to admonish

those guilty of disrespect for the dignity of human life. In this regard it satisfies the Ninth Amendment to the Federal Constitution which provides "No law shall be passed depriving the people of life, liberty or property without due process of law." This is construed to deny or disparage others retained by the people." Consequently, we see evidence in this postulate that not just equality, but respect and dignity are promulgated.

Incommensurability differs from equalization because it addresses the solution in its entirety. It is concerned with the methodology and the terminal output rather than the mathematical equalization of inputs. Incommensurability is first and foremost a denial of any single axis of inferiority--superiority, or dominance. If we are really seeking to provide "equal educational opportunities", David Hawkins feels we must provide a great diversity in that opportunity. It is because of congenital variations that each individual maximizes his potential differently--each individual finds his chance for "equal opportunity" at different points in his growth and development. Incommensurability, unlike equalization allows a school system some flexibility in satisfying the unique, individual needs of children with congenital differences. The salient flaws noted in the Wright Decree and the damaging effects on staff morale, the educational process and the children can be overcome with the Postulate of Incommensurability. Further, such a postulate which places emphasis on the educational program can promote quality education.

In similar fashion, incommensurability can overcome the detriments of comparability requirements by focusing also on the educational process. Comparability of services is intended to equalize the input process only. It has already been proven that this is not enough.

The plaintiffs in Hobson v Hansen are concerned with equal educational opportunity and the provision of a quality educational program. Incommensurability more than any other alternative addresses the spirit, if not the letter, of the law. It is the only alternative that is feasible, one, and surely no one can deny the fact that children from lower-income levels have been denied equality. Yet, it must be remembered that in cases where such gross deficiencies are paramount, excessive inputs--not merely equal inputs are needed for quality education. Surely, if an educational program is derelict in its ability to provide an educational program which will meet individual needs, quality education cannot possibly be the end result.

Incommensurability is tantamount to the Waddy Decree which called for an educational program designed to meet the needs of special education children regardless of cost. The analysis of both the Hobson and Mills decree should be the same; namely, the individual needs of children. Incommensurability provides that an individual child budgeting system would be adjusted, while individual needs are assessed and educational programs are designed to meet those needs.

There is no reason to believe that the postulate of incommensurability cannot be implemented to promote the desired objectives of quality education for all children. In principle it is a workable, tenable alternative and because of the unlimited flexibility it allows, it is a unique mechanism for this system's objectives. Incommensurability will not disrupt the educational process, on the contrary, by design, it will improve significantly the process as we know it. Management and staffing decisions, especially those made in regards to staff development will be adhered to and stand little likelihood of being altered. The design for incommensur-

will not involve involuntary shifts of personnel and should encourage teachers to make the most efficient use of the time they have with the children.

fit most from incorporation of this postulate in the educational program.

Children will gain in stature and dignity as it becomes evident to them that they are regarded as unique individuals, rather than inferior parasites to the "ruling class." The acceptance of incommensurability into the educational program will initiate a community building process, and seek to offset what has heretofore been deemed "cultural incompatibilities in the educational design. There is no reference to superiority, consequently, children will not be exposed to hierarchies of control or manipulation from higher up. The outcome should be compatible not only with the demands of the community in the District of Columbia, but with the premise of equality in a non-mathematical sense, on which this country was founded.

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